

EXHIBIT L

Reply Reply All Forward



Wed 1/2/2013 10:24 AM

Donna Hendricks <donna@primehealthcareproperties.com>

Water damage at OMNI

Betsy Rouse

cc: Mark Samples (mark@primehealthcareproperties.com)

Betsy, I got a call this morning from Kathleen (who is not in Billings right now) that an employee showed up there and there is water all over the floor and it appears to be coming from the surgery center side and is seeping under the door into the other suite. Mark is already contacting all the tenants to get authorization to give access to their suites since no one is working today, (but will be tomorrow). We have contacted the local Servicemaster vendor, Dallas, is his name and he is on his way out. He is not a plumber or an electrician so he is contacting someone locally on our behalf to take care of the initial assessment. Betsy, Please advise at what point we could contact the insurance carrier for this building as I'm guessing its going to be pretty expensive. I will be out of the office for a bit so call me on my cell phone if needed.

Donna Hendricks
Executive Assistant

Prime Commercial Properties, LLC
401 Meridian St Suite 302
Huntsville, AL 35801
256-428-0080 wk
256-428-0083 fax
256-425-5173 cell



Wed 1/2/2013 3:43 PM

Donna Hendricks <donna@primehealthcareproperties.com>

Introduction to Mike Ard

To: Mark Samples (mark@primehealthcareproperties.com)

Cc: mark@mtsystems.com

Mark I've been speaking to Mike Ard at Montana Wyoming Electric his cell number is 406-855-8364 and I have included him in this email. He said he would try to get someone out there today to look at our panel but that it might be in the morning. I told him that the Fire Marshall may delay service and we have surgeries for tomorrow and he said he would deal with the local guys and that it shouldn't be a problem and if it is to tell them to call him.

It appears as though there was a trouble message sent to them on the 25th that resolved itself and two on the 31st. The first one on the 31st resolved itself the 2nd did not. The alarm system is still showing a problem. It was just confirmed over the phone that NONE of our people were contacted. For future reference the chain of calls would have been to Lisa 1st, then Becky C 2nd, and Kathleen 3rd.

Mike, we need to develop a timeline to determine when each action took place and why specifically 2 days after the last unresolved issue no one was contacted with OMNI. We will need a copy of any reports that you have in your system related to the panel at OMNI. Mike- the number for Mark Samples is 912-679-5612 if you'd prefer to speak directly to him.

Donna Hendricks
Executive Assistant

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Wed 1/2/2013 4:45 PM

Mark <Mark@primehealthcareproperties.com>

Re: Building Water

To: Kathleen Burrows

Cc: donna@primehealthcareproperties.com; Lisa Parker; Becky; John Schreder; Kenneth S. Frazier (KSFrazier@mtsystems.com); Kathleen Burrows

Kathleen,

Thanks for your cooperation today as we have coordinated the work with Service Master, Precision Plumbing, Billings Alarm, the Fire Marshall, Matt, etc. Kyle with Precision Plumbing will be working until the water is back on. Per our conversation Lisa will instruct Kyle as to how to lock when he leaves. I will ask Matt to drop by and check that everything is locked. Driers will be running tonight in NANS and the ASC. The fire and security monitoring system provider will be sending their equipment tomorrow morning. I will coordinate with Matt to meet the city expectation of a 30 minute walk around during the business day. Thanks again for your cooperation and coordination efforts. I will get an update report out to all parties tomorrow when I have a better understanding of the cause of the problem.

Mark

Sent from my iPhone

On Jan 2, 2013, at 2:54 PM, Kathleen Burrows <kburrows@omni-medical-campus.com> wrote:

Hi Mark and Donna,

Our staff will be leaving the building at 3:00 today as there is no running water. I don't believe that Matt is at the building at this time, and I believe that he has the master key so please coordinate with him.

FYI - our IT department has been out to the building and have moved our servers out of the water.

We have a busy clinic tomorrow and will need running water/restroom facilities.

Thank you,

Kathleen



Thu 1/8/2013 7:59 AM

Mark Samples <mark@primehealthcareproperties.com>

OMNI water leak

To: Yowalsky, Catherine; Hancock, Kenny; Wilson, John; Kathleen Burrows; David Schladter; Frank Schmidt; Lisa Parker; Steve Emery; John Schneider; Grason, Jovanna
Cc: donna@primehealthcareproperties.com; Betsy Rose; ty@samplesproperties.com

Good morning!

I wanted to update you on a water leak that occurred in the surgery center in the OMNI building at some point between December 30th and yesterday (Jan 2nd). The leak was discovered and reported when an employee from NRNS entered the building yesterday morning and noticed water coming into the NRNS space from the surgery center space. Kathleen Burrows notified my office and we took the following action.

- 1) Contacted Matt Brosovich to represent the Landlord LLC to meet with a Service Master response team and help us understand what caused the leak.
- 2) Contacted Service Master and authorized them to immediately evaluate the problem and remove the water from the building. They removed the water and installed dryer/blowers to dry the walls that were affected. They will be continuing this work for two to three days until the walls are dry.
- 3) Matt contacted the city to have the water turned off.
- 4) We contacted Precision Plumbing to evaluate the location and cause of the leak and initiate repairs. Kyle with Precision Plumbing added a new valve so that water is available to the remaining suites at OMNI today (January 3rd). After the initial assessment it seems that a pipe to an air handler in the surgery center had a break sometime between December 30th and January 2nd when the leak was discovered.
- 5) We contacted Montana Wyoming Electric to check on the status of our alarm and monitoring system. They are under an annual contract to service and monitor the system. Based on discussions with Montana Wyoming Electric there was a trouble message sent from the monitoring equipment on December 29th but it resolved itself. There were two trouble messages sent on December 31st. The first resolved itself and the second did not. We are still working to confirm but we believe that there were no calls made to notify us of the problem. There is still a problem that has not been resolved and Montana Wyoming Electric will be at the OMNI building this morning to check the panel and equipment.
- 6) We have contacted our insurance provider and notified them that we will be initiating a claim.

It is my understanding that the areas affected were the surgery center and part of NRNS adjacent to the surgery center. Please be aware that we will have service providers in the building today. Matt Brosovich has agreed to assist us with the coordination with service providers.

Kathleen Burrows and Lisa Parker were very helpful yesterday assisting with communication and coordination to provide access to the response team to areas affected. Thank you for your help.

I will provide an update later today. Please feel free to call me if you have any questions.

Best regards,

Mark

Reply Reply All Forward



Thu 1/8/2013 9:34 AM

John Schneider <jschneider@omnispinecenter.com>

NRNS suit

To: Kathleen Burrows
Cc: mark@primehealthcareproperties.com

The damage to the NRNS suit is devastating. All base boards are off and warped, wall paper is destroyed, fixed structures are stained and warping, the service master person has indicated moisture 3 feet into the walls and at least three feet elevated off the ground for nearly the entire suit, the carpets are soaked. The paint and finish is already coming off the walls. The broken pipe in the surgery center was directly related to the electricity and heat being turned off at the ASC on Dec 31st for lack of bill payment. This is directly damaging to the money I invested in the TI for my suit and profoundly unacceptable. Building management should have ensured adequate protection against this internal damage brought about by Meridians failure to pay electric/heating bill that guaranteed pipes would burst in this weather. At the ASC, as a building investor, the hardwood floors, walls, ceiling, etc are ruined. In my suit, mold will be a rapid issue that my employees, myself and my patients will not be exposed to. JHS

Enclosed is an e-mail from Amanda Brown, our controller. MSP paid the bills – the Electric Company has stated that the power was never shut off on the ASC. Whatever triggered this problem was not the result of non-payment. Most likely, we'll find this to be a HVAC system failure of some sort. Please share the information enclosed with the building owners and all other interested parties.

Thanks,

Jenny

From: Brown, Amanda
Sent: Thursday, January 03, 2013 9:40 AM
To: Hancock, Kenny
Subject: OMNI Utilities NOT disconnected

On January 2, 2013, we were notified that a pipe had burst at the Center due to the low temperature of the facility. A notice was on the door, placed on 12/26, indicating if payment were not received by 12/31 services for the suite would be disconnected. This lead us to believe that the utility source responsible for the heat may have been disconnected (though the electricity was on when people responded to the burst pipe). At the time, we were unsure of which utility had placed the notice, gas or electric. We followed up on both as we believed payments were sent timely enough to prevent disconnection. The notice was later determined to have been placed by the electric company, Northwestern Energy. ***I provide details for the payments to the gas utility for informational purposes only.

We mailed our payments for both the electric and gas on 12/20/12 and each check cleared the bank on 12/27/2012. Upon calling each utility company on 1/2/13, I chose the option of hearing the automated account information regarding our current balance and last payment. This was to verify that not only had the payment been received and cashed, but had been applied to the correct account prior to 12/31/12. I then chose to speak to a representative to inquire about any disconnection of services that may have been ordered or performed.

Northwestern Energy indicated we had a \$0 balance and our most recent payment of \$2,456.43 had been received and applied on 12/27. The representative stated that no disconnection had been ordered or performed (per her records) as our payment was received prior to 12/31/12. I inquired whether she could tell me if any other suite in the building was disconnected recently and she said she could not provide that information.

On 1/3, after learning that the lack of heat seemed to be caused by a failure of the heating system to reset itself after a power interruption, I called Northwestern Energy to ask about any reported power outages for the area for 12/31/12. She stated that no outages were reported between 12/29/12 and 1/2/13 for the Billings, MT area. This does not rule out a power interruption, but would indicate that any such interruption was not reported. She again confirmed that our meter was not ordered disconnected.

***The gas company, Montana-Dakota Utilities, Co., indicated we had a balance of \$(1,820.26) and our most recent payment of \$44.32 had been received and applied on 12/26/12. The negative balance was due to a deposit of \$1,750 and interest of 92.31 which were applied to our account on 12/13/12. The deposit was made 12 months prior and it is their policy to apply the deposit to the account after 12 standard monthly payments. An additional month's service of \$22.05 had been charged to the account in late December. The representative stated that no disconnection had been ordered as 1.) our payment was received on 12/26/12, 2.) our account was only 1 month past due, 3.) our deposit would have been applied to any owed balance before disconnection would have been an option, and 4.) disconnection would only occur after three letters, a phone call, and a door tag (sequentially).

Amanda Brown
Controller
Meridian Surgical Partners

From: Mark Samples (mailto:mark@primehealthcareproperties.com)
Sent: Thursday, January 10, 2013 8:40 PM
To: 'John Schneider'; 'Kathleen Burrows'
Subject: OMNI update

John and Kathleen,

I worked at the OMNI center today and the following is an update of activities and planned next steps regarding the water damage.

- I met with Tim Murray today to understand the contracts in place with tenants for security monitoring as well as the cabling for the building. I will take steps to insure that any space not under contract with Billings alarm is monitored through the Landlord LLC during this claim and construction period. ONI Realty Investors, LLC has a monitoring contract for the common area and each tenant has their own contract. I will communicate with each tenant to insure that the entire building is monitored so that a security call will dispatch in the event of a break in or other event.
- Precision plumbing addressed the insulation in the area above the common restrooms in the lobby to insure that those pipes will not freeze.
- Mike Georgeson with Montana Fire Suppression Inspected and tested our fire suppression/ sprinkler system. His inspection report will be in the riser room on the north end of the building (outside entry) for the Fire Marshall.
- Jim Arnold with Big Sky Fire Protection, Inc. Inspected and tagged all fire extinguishers.
- Trane replaced a sensor/device on the boiler in the ASC that could cause it to trip and is coordinating with Chad Luttrell (IT guy with Meridian), Tim Murray with Concepts Unlimited and OMNI Imaging to access their network tomorrow so that the monitoring of the Trane system in the ASC can send messages regarding any problems via e-mail to Meridian, Trane, me, NAI and any other contacts that need to be aware of a problem so they can respond.
- I have contacted Montana Wyoming Systems (Fire system monitoring) to inspect and insure that the system is working properly. When they complete their inspection I will contact the Fire Marshall to schedule an inspection as we will have completed the requirements on the report prepared by Chris Vondal.
- I met with Mike Walker and Matt Robertson with NAI Business Properties to contract with them on a short term basis for onsite property management. They will become the landlord agent for providing access to contractors as well as assistance in building access during the next few weeks while we coordinate with insurance adjusters and contractors to assess the damage, bid the necessary work and complete repairs to areas that received water damage. They come highly recommended and will remove the responsibility of NRNS employees that have assisted greatly since the water damage was reported on January 2nd. Lisa Parker did an exceptional job as Landlord agent but we clearly understand she resigned from that position effective 12/31/12. I gave Becky a \$200 check to reimburse her for her boots that were ruined when she opened the facility on January 2nd and discovered the water damage. I understand they were a Christmas present from her husband. Her assistance during this process is greatly appreciated.
- Service Master is still finishing water removal, cleaning and drying. The areas of concern are the walls in restrooms in the ASC and NRNS. As we move to the repair and renovation phase I want to make sure that the insurance adjusters are including an Industrial Hygienist in their scope of work. Lockard Construction recommended Kevin Oliver with Northern Industrial Hygiene. Please bring this to the attention of your adjuster.
- I am coordinating access for the insurance adjuster representing ONI Realty Investors, LLC. He will be onsite tomorrow. I understand you have decided to ask Travelers to engage a different adjuster as Rich Narullo with Crawford and Company (W. 801-904-1546 C. 307-751-0836) was engaged by CNA for the Landlord LLC as well as Travelers for NRNS. It will expedite the process if you can provide your adjuster with Rich's contact information as well as the contact information for the adjuster for Meridian. Meridian's adjuster is Judy Carson-Schnabel (represents Travelers). Claim # EQC0316. Her phone number is 800-835-1291.

Please feel free to call me on my cell if you have questions, concerns or comments.

Take care!

Mark

Mark T. Samples, CCIM